

TOWN OF NEWSTEAD  
ZONING BOARD OF APPEALS  
MINUTES of May 15, 2001

Present:       Corky Keppler, Chairman  
                 Clark Killian  
                 Bill Kaufman                       Don Folger, Code Enforcement Officer  
                 Ike Cummings                     Dawn Izydorczak, Recording Secretary  
                 Scott Chaffee

Pledge to the flag was said.

The public hearing to hear comments for or against the area variance request by Robert Kasprzak to construct a one-family home on the corner of Rapids and Burdick Roads, 45 ft. from the ROW instead of 65 ft. was opened at 7:00pm.

Clerk read proof of publication.

No prior comments for or against had been received.

Mr. & Mrs. Daniel Wroblewski were present to speak to the board as the prospective purchasers of the parcel in question. Concerns were expressed by the Board regarding the ditch that runs through the property and the standing water on the lot. The Board questioned whether the parcel was located in the flood zone and Don Folger informed them it was. The Board asked the Wroblewski's about the possibility of cutting the 3 car garage down to a 2 car garage and if that would make a difference. They stated that they would still be closer than the allowable setback requirements even with the 2 car garage. The Board thanked the Wroblewski's for attending. The hearing was closed at 7:10 pm. Scott motioned to table discussion on the issue until later in the meeting. Corky seconded and all approved.

The public hearing to hear comments for or against the area variance request by Niagara Specialty Metals to construct a building addition at 12600 Clarence Center Rd., 58 ft. from the ROW instead of 65 ft. was opened at 7:15pm.

Clerk read proof of publication.

No prior comments for or against had been received.

Barry Hemphill of Niagara Specialty Metals was present at the hearing. He explained to the Board that the addition would house a machine to remove oxidation and it would be located next to a similar machine in an adjacent existing building, thereby making it easier to run the machines simultaneously. The Board inquired whether enough of the parcel was zoned I-2 around the proposed building. Don answered yes. The Board thanked Mr. Hemphill for attending. The hearing was closed at 7:25 pm.

After discussion, Scott motioned to deny the Kasprzyk request for an area variance. Ike seconded and all approved the denial based on a lack of hardship and the poor layout and drainage of the lot. The Board did not want to set a precedent in this case.

After discussion, Ike motioned to approve the Niagara Specialty Metals request for an area variance citing the project posed no detrimental effects. Scott seconded and all approved.

The public hearing to hear comments for or against the area variance request by Fred Bedford to construct a front porch at 6714 Cedar St, closer to the front lot line than present Zoning Code allows was opened at 7:30pm.

Clerk read proof of publication.

No prior comments for or against had been received.

Mr. & Mrs. Fred Bedford were present at the hearing and explained to the board that the new porch would replace an old one. The new porch would be covered and extend 8' off the front of the house and run the full length of the house. The Board thanked the Bedford's for attending the hearing. The hearing was closed at 7:35 pm.

After discussion, Bill motioned to approve the Bedford request for an area variance. Clark seconded and all approved.

\*The Zoning Board requested that a suggestion be made to the Town Board to adopt a similar ordinance to the Village of Akron Ordinance Section 303.2-2(A). "In such cases in residential zones where the frontage on the same side of the street within five hundred (500) feet is fifty (50) percent or more developed, then the required front yard for a new structure may be modified to the average for such existing development. Otherwise, the requirements of the Schedule shall apply."

Clark motioned to adjourn the meeting at 7:38pm, Scott seconded and all approved.

Respectfully submitted by,  
Dawn D. Izydorczak